



Town of Groton, Connecticut

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager
(860)441-6630

Meeting Minutes

Representative Town Meeting

Moderator Natalie B. Billing, Representatives Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Lori Bartinik, Alicia Bauer, Nancy E. Beckwith, Joyce F. Bergeson, Laurie Kim Briggs, Genevieve Cerf, Michael Collins, Warren T. Cooper, Nancy S. Driscoll, Syma Ebbin, June Evered, Peter Fairbank, Melissa M. Finlayson, Irene B. Garagliano, Robert Garcia, Patrice Granatosky, Dolores Harrell, Wendy L. Hellekson, Lynn Crockett Hubbard, James Loughlin, Lisa M. Luck, Jackie Massett, Carole McCarthy, Richard Metayer, Betsy Moukawsher, Scott Newsome, Deborah Peruzzotti, Kevin Power, Betty A. Prochaska, Don Pratt, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Joan Steinfeld, Irma Streeter, Mark Svencer, and Cheryl Tilney

Wednesday, June 11, 2008

7:30 PM

Senior Center

Regular Meeting

A. ROLL CALL

Moderator Natalie Billing called the meeting to order at 7:35 p.m.

27 members were present, and a quorum was declared.

The Moderator reported that Reps. Bauer, Beckwith, Ebbin, Fairbank and Svencer called to say they are unable to attend this meeting.

Members Present: Moderator Billing, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bartinik, Rep. Briggs, Rep. Cerf, Rep. Collins, Rep. Cooper, Rep. Driscoll, Rep. Evered, Rep. Garagliano, Rep. Granatosky, Rep. Harrell, Rep. Loughlin, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Moukawsher, Rep. Peruzzotti, Rep. Power, Rep. Pratt, Rep. Prochaska, Rep. Sebastian, Rep. Smuts, Rep. Steinfeld and Rep. Tilney

Members Absent: Rep. Bauer, Rep. Beckwith, Rep. Bergeson, Rep. Ebbin, Rep. Fairbank, Rep. Finlayson, Rep. Garcia, Rep. Hellekson, Rep. Hubbard, Rep. Metayer, Rep. Newsome, Rep. Steere, Rep. Streeter and Rep. Svencer

Also present were Town Manager Mark Oefinger, Town Clerk Barbara Tarbox, and Assistant Town Clerk Sally Whitney.

B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

The members observed a moment of silence followed by the Salute to the Flag led by Rep. McCarthy.

C. APPROVAL OF MINUTES

1. Regular Meeting - April 9, 2008

A motion that the minutes of the April 9, 2008 Regular RTM meeting be adopted was made by Rep. Power, seconded by Rep. Smuts and so voted unanimously.

2. Annual Budget Meeting

A motion that the minutes of the Annual RTM Budget meeting be adopted was made by Rep. Peruzzotti and was seconded.

Rep. Garagliano noted that on pages 11 and 12, several legislative items were referred to committee and a "motion carried". She stated that no motion had been made or voted on.

Rep. Sebastian requested that one of the points he made be added to his remarks on page 12 concerning Account 1080 Education. He specifically asked that the following words be inserted, "The Board of Education provides no measurable objectives to the Superintendent of Schools and staff."

Rep. Luck noted that Councilor Brown-Tracy's first name was misspelled on page 11.

Moderator Billing noted that she had requested changes on pages 2,3,4,5 and 6 to match more closely what she said and stated that the Town Clerk will listen to the tape so that those sections will be corrected.

The vote on the minutes as corrected carried unanimously.

D. CITIZENS' PETITIONS

None.

E. RECEPTION OF COMMUNICATIONS

None.

F. REPORT OF THE TOWN MANAGER:

1. Financial report

Mr. Oefinger reported that the Unreserved & Undesignated Fund balance as of July 1, 2007 is approximately \$9.6 million; the General Contingency balance is \$350,000. He noted that if the RTM approves the fourth quarter transfers that appear on this agenda the remaining balance of \$261,584 will be returned to the Fund Balance; the Capital Reserve balance is \$2,302,843.

2. Monthly briefing

The Town Manager provided an update on the continuing construction at Fitch High School. He reported that the WPCF project is ahead of schedule and within budget. He informed members that a State DOT informational meeting concerning I-95 exit and entrance ramp modifications in the Groton area is scheduled for June 18th, 2008 at 4:00 p.m. at the Town Hall Annex.

In response to Rep. Moukawsher, the Town Manager stated that this is not a Town of Groton public meeting and that the Town video staff is very busy with a number of routine meetings that are televised. He stated that Town staff is probably not available to televise this meeting.

In response to the Manager's comments about the Fourth of July Parade, Rep. Luck stated that she is the contact for RTM participation in the parade and that four members are participating.

G. LIAISON REPORTS

1. Charter Revision Commission-Rep. Cerf

Rep. Cerf attended the meeting held on Monday, June 9, 2008. She reported that progress has been made on revisions and a draft of the proposed charter changes is being reviewed.

H. COMMITTEE REPORTS

1. FINANCE

a. Chairman's notes on the business of the Town - Chairman Granatosky

Chairman Granatosky read the portion of the minutes of the meeting held on June 9, 2008 pertaining to each legislative item prior to action on each item. (Minutes are attached).

2008-0069 Other Post Employment Benefits (OPEB) Trust Ordinance

AN ORDINANCE AUTHORIZING: (1) THE CREATION OF AN (OPEB) TRUST TO HOLD, INVEST AND ADMINISTER FUNDS FOR POSTEMPLOYMENT HEALTH BENEFITS AND (2) THE EXECUTION OF AN AGREEMENT AND ANCILLARY DOCUMENTS FOR THE CREATION AND ADMINISTRATION THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Under authority of Connecticut General Statutes Section 7-450 and to meet the requirements of the Government Accounting Standards Board, the Town Manager and the Director of Finance are hereby authorized and directed to establish a trust (the "VantageCare RHS Employer Investment Program Town of Groton Integral Part Trust") to hold and invest the assets of the Town's postemployment health benefit system as part of the "VantageCare RHS Employer Investment Program" and to enter into an "Administrative Services Agreement" with the International City Management Association Retirement Corporation ("ICMA-RC") for the administration thereof and any other agreements and/or documents ancillary thereto. The execution of any documents hereunder is subject to the approval by the Town Attorney of their form and legality. The Town Manager, the Director of Finance and the Director of Administrative Services are hereby

empowered to serve as a committee to act as Trustee of said Trust, and the Town Manager may appoint up to two other town employees to serve as Trustees as part of said committee. This Ordinance shall become effective 44 days after publication of notice of passage.

This matter was Not Vetoed.

2008-0098

FYE 2008 Fourth Quarter Transfers

RESOLUTION FOR FYE 2008 FOURTH QUARTER TRANSFERS

WHEREAS, the Town Charter provides for supplemental appropriations to Adopted Budgets and transfers from the Contingency function during the year and

WHEREAS, the Town Charter also provides for the transfer of funds from one departmental function to another departmental function during the last three months of the fiscal year, and

WHEREAS, transfers and a supplemental appropriation are necessary and represent unforeseen or unexpected expenditures at the time the FYE 2008 budget was adopted, now therefore be it

RESOLVED, that \$88,416 be transferred from the General Fund Contingency function (#1074) to the following General Fund departments/functions and referred to the RTM for approval:

Voter Registration (#1003) @ \$5,000;
for additional expenses associated with phones and electronic voting machines as required by Help America Vote Act (HAVA), for elections not budgeted and to cover additional election costs (ballots, programming memory cards and storage cabinets).

Legal Services (#1006) @ \$25,000;
for costs associated with personnel/labor relations issues.

Human Services (#1051) @ \$38,000;
for costs associated with evictions.

Contributions to Other Funds (#1007) @ \$20,416;
to eliminate the operating deficit that materialized in the Golf Course Fund in FYE 2003.

A motion was made by Rep. Granatosky, seconded by Rep. Peruzzotti, that this matter be Adopted.

The motion carried by the following vote:

Votes: In Favor: 26 - Moderator Billing, Rep. Ambrose, Rep. Baril, Rep. Barnhart, Rep. Bartinik, Rep. Briggs, Rep. Cerf, Rep. Collins, Rep. Cooper, Rep. Driscoll, Rep. Evered, Rep. Garagliano, Rep. Granatosky, Rep. Harrell, Rep. Loughlin, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Moukawsher, Rep. Peruzzotti, Rep. Power, Rep. Pratt, Rep. Prochaska, Rep. Sebastian, Rep. Steinfeld and Rep. Tilney
Opposed: 1 - Rep. Smuts

2008-0095

CIP Project Reauthorization - High School Auditorium

RESOLUTION REAUTHORIZING A CAPITAL APPROPRIATION FOR THE HAGERTY AUDITORIUM AT FITCH HIGH SCHOOL

WHEREAS, funds were appropriated in the Capital Improvement Program of FYE 2004 for new air conditioning at the Hagerty Auditorium of Fitch High School, and

WHEREAS, CIP appropriations are valid for five years including the year of appropriation, and

WHEREAS, there are funds remaining from the FYE 2004 CIP that will expire at June 30, 2008, unless re-appropriated, and

WHEREAS, the Town Council and RTM may re-appropriate unexpended CIP funds, now therefore be it

RESOLVED, that the remaining balance of \$74,590 for FYE 2004 CIP project #5D (Air Conditioning - FHS Hagerty Auditorium) be re-appropriated and referred to the RTM for approval via RTM Rule 6.5.3.

A motion was made by Rep. Granatosky, seconded by Rep. Harrell, that this matter be Adopted.

The motion carried unanimously

A motion to approve the minutes of the meeting held on June 9, 2008 was made by Rep. Granatosky, seconded by Rep. Smuts and so voted unanimously.

2. COMMUNITY DEVELOPMENT & SERVICES

a. Chairman's notes on the business of the Town - Chairman Peruzzotti

Chairman Peruzzotti read the minutes of the meeting held on June 11, 2008. (Minutes are attached).

Motion to approve the minutes was made by Rep. Peruzzotti, seconded by Rep. Moukawsher and so voted unanimously.

2007-0140 Town Property at Buddington/Old Buddington Roads

RESOLUTION TO OFFER TOWN PROPERTY ON NORTH ROAD, BUDDINGTON ROAD AND OLD BUDDINGTON ROAD TO CITY OF GROTON UTILITIES

WHEREAS, the Town of Groton owns two parcels of land, amounting to approximately 1.8 acres, on North Road, Buddington Road and Old Buddington Road that were acquired by tax foreclosure, and

WHEREAS, based on the report of the Town's Property Review Team, then Town Manager Ronald LeBlanc and the Office of Planning and Development Services recommended in 1995 that these properties be offered to Groton Utilities for purchase, before being offered for public sale, and

WHEREAS, the Groton Town Council considered the sale of these properties to Groton Utilities in 1995 for a total price of \$19,208.82, but the sale was not consummated, and

WHEREAS, the Town of Groton up to this date has not had plans for using the subject land for any Town purposes, and

WHEREAS, Groton Utilities has represented that their ownership of the land would enhance the security and safety of their reservoirs, now therefore be it

RESOLVED, that the Town of Groton offer the parcels of land on North Road, and Buddington Road/Old Buddington Road, designated with PIN Numbers 169807790529E and 169910366848E to Groton Utilities for the total sum of \$25,000, and be it

FURTHER RESOLVED, that upon receiving notification of the buyer's legal acceptance of the offer, Town Manager Mark R. Oefinger may execute an appropriate deed and all other documents and certifications necessary for the conveyance of the subject property.

Refer to RTM

A motion was made by Rep. Peruzzotti, seconded by Rep. Garagliano, that this matter be Adopted.

Members discussed the following items: the appraised value of the properties, proximity to the reservoir, aesthetics of the property, other uses of the land, and the value of potential water rights of the property.

In response to Rep. Loughlin, the Town Manager explained that he can obtain a legal opinion on the potential water rights of the property.

Rep. Garagliano is in favor of the sale. She feels that after owning the property for fifteen years any expenditure by the Town to improve the aesthetics of the property would not be appropriate in the current economic situation.

Rep. Cerf favors the sale to Groton Utilities. She feels it would allow Groton Utilities to further protect the reservoir and watershed area. She would favor a tree buffer for aesthetic purposes as a requirement of the sale.

The Manager explained that the current proposal cannot be changed. He stated that if the RTM wants to incorporate specific requirements such as a tree buffer for aesthetics, the RTM could defeat the motion and the process could be initiated again with the City, Council and RTM working together to incorporate the beautification and aesthetics desired surrounding the two properties.

Rep. Steinford is in favor of the sale. She believes that Groton Utilities maintains all other areas surrounding the reservoir beautifully. She feels that retaining the property is not warranted considering the financial impact on the Parks and Recreations Department budget for aesthetic improvements and continual maintenance of the property.

Rep. Moukawsher is opposed to the sale based on the Manager's comments that the current proposal does not guarantee that the aesthetic issues raised by members will be addressed.

In response to Rep. Pratt, the Moderator explained that the RTM would have to defeat the current proposal and then request that the Council and Groton Utilities renegotiate in order to incorporate a guarantee of improvements that address the aesthetic issues raised by the RTM. The Town Manager proposed that the vote on this item be postponed to allow Groton Utilities to address the RTM about aesthetic issues in regard to the subject properties and surrounding area.

Rep. Smuts noted that she is in favor of postponement in order that more information about the aesthetics issue and the assessed value of the property could be provided.

MOTION TO POSTPONE until a report from the Manager is received was made by Rep. Cooper, seconded by Rep. Harrell.

Rep. Ambrose is opposed to postponing. He stated that he believes the land is worth more than the proposed sale price. He commented that the land is being used for access by Groton Utilities. He stated that once the land is sold it is gone forever. He feels that Groton Utilities stands to profit by obtaining this land.

POINT OF ORDER was raised by Rep. Garagliano. She stated that all members are entitled to speak again since a new motion is now on the floor concerning postponement. The Moderator concurred.

Rep. Garagliano stated that the committee has met three times concerning this item. She feels that the Town will not improve the properties if ownership is retained, but if the properties are sold to Groton Utilities the improvements will be completed.

Rep. Loughlin stated his concern about the property value and water rights. He supports postponing to obtain more information.

Rep. Evered supports postponement in order to discuss with Groton Utilities the possible aesthetic improvements that may be made if the sale is approved.

Rep. Briggs opposes postponing and stated that there has been enough delay on this item.

Rep. Luck supports postponing in order to receive information to the many questions concerning the property.

Rep. Granatosky opposes the postponement. She believes that the members want to continue the discussion and ask their questions but should vote on the item tonight.

A MOTION to AMEND the Motion to Postpone was made by Rep. Loughlin, seconded by Rep. Baril to specify that the value of the land and information about possible water rights be included in the Manager's report.

In response to Rep. Collins, the Town Manager explained that when the Town foreclosed on the property in the early 1990's, approximately \$19,000 was owed in back taxes which has now been written off.

Rep. Massett asked if she could yield the floor to the Deputy Director of Groton Utilities, Al Dion, in order to clarify some of the issues that have been raised.

POINT OF ORDER was raised by Rep. Power. He questioned whether it is appropriate for Mr. Dion to speak about the main motion now since the motion on the floor is to postpone.

The Moderator considered the Point of Order and allowed Mr. Dion to continue to speak.

Mr. Dion commented about the history of the land in question and explained about the conservation of land currently owned by Groton Utilities. He mentioned that the land in question would provide additional protected watershed area around the reservoir and that the intent is to clean up the land and protect the reservoir.

In response to Rep. Barnhart, Mr. Dion confirmed that the only reason for obtaining these properties is to protect the water reservoir.

Rep. Pratt is opposed to the amendment because he feels it is an unnecessary expenditure for legal fees to obtain an opinion about water rights.

The VOTE ON THE AMENDMENT to the Motion to Postpone was defeated, 5 in favor, 22 opposed. (In favor: Reps. Baril, Harrell, Loughlin, Moukawsher and Sebastian).

Rep. Cerf opposes the motion to postpone. She feels it is important to protect the reservoir and watershed areas.

*Rep. Cooper asked to withdrawn his motion to postpone.
The Moderator explained why this could not be done.*

The VOTE ON the Motion to Postpone was defeated 10 in favor, 17 opposed. (In favor: Reps. Evered, Harrell, Loughlin, Luck, McCarthy, Moukawsher, Pratt, Sebastian, Smuts and Billing).

*MOTION TO AMEND the Resolution to increase the sale price to \$50,000 was made by Rep. Loughlin, seconded by Rep. Power.
The Moderator explained that a Town Council Resolution can not be modified by the RTM.*

*Rep. Cerf supports the sale. She feels that members have a misconception about the value of the land.
Rep. Massett stated that Groton Utilities is a non-profit organization. She commented that if the current motion fails because of a desire to increase the sale price, water rates might be raised to offset the increase. She feels this would adversely affect many residents.*

The motion carried by the following vote:

Votes: In Favor: 15 - Rep. Barnhart, Rep. Bartnik, Rep. Briggs, Rep. Cerf, Rep. Cooper, Rep. Driscoll, Rep. Garagliano, Rep. Granatosky, Rep. Massett, Rep. McCarthy, Rep. Peruzzotti, Rep. Power, Rep. Prochaska, Rep. Steinfeld and Rep. Tilney
Opposed: 12 - Moderator Billing, Rep. Ambrose, Rep. Baril, Rep. Collins, Rep. Evered, Rep. Harrell, Rep. Loughlin, Rep. Luck, Rep. Moukawsher, Rep. Pratt, Rep. Sebastian and Rep. Smuts

3. EDUCATION**a. Chairman's notes on the business of the Town - Chairman Fairbank**

No meeting, no report.

4. RECREATION**a. Chairman's notes on the business of the Town - Chairman Power**

No meeting, no report.

5. PUBLIC SAFETY**a. Chairman's notes on the business of the Town - Chairman Pratt**

No meeting, no report.

6. PUBLIC WORKS**a. Chairman's notes on the business of the Town - Chairman Collins**

No meeting, no report.

7. RULES & PROCEDURES**a. Chairman's notes on the business of the Town - Chairman Evered**

*Chairman Evered read the minutes of the meeting held on June 4, 2008. (Minutes are attached).
Motion to approve the minutes was made by Rep. Evered, seconded by Rep. Harrell and so voted unanimously.*

2008-0125 RTM Members' Conduct and Decorum during Debate**RTM MEMBERS' CONDUCT AND DECORUM DURING DEBATE****Discussed**

The Moderator stated that no action will be taken on this item at this meeting. She clarified that a copy of the proposed changes will be sent out with the next meeting agenda.

In response to Rep. Power, Rep. Evered explained that the RTM is not currently following Robert's Rules about to whom questions should be directed.

In response to Rep. Cerf, Rep. Evered clarified that requests for additional information on matters before the RTM should be directed to the Moderator. She stated that the Moderator will decide and advise a representative if they may contact staff directly for additional information.

The Moderator requested that debate on this matter be saved for the next meeting when the item will be addressed.

I. OTHER BUSINESS

None.

J. ADJOURNMENT

The meeting was adjourned at 9:07 p.m.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the RTM*

Sally A. Whitney, Assistant Town Clerk